

**MINUTES**  
**BOARD OF STATE AND COMMUNITY CORRECTIONS MEETING**  
**THURSDAY, February 12, 2015 - AMENDED**

Meeting held at: The Crown Plaza Ventura Beach, San Miguel Room  
450 East Harbor Blvd., Ventura, CA 93001

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The meeting commenced at 10:04 a.m.

Chair Linda Penner welcomed the Board Members and public to the February 12, 2015 Board of State and Community Corrections (BSCC) meeting. Ms. Penner thanked the California State Sheriff's Association and Member Geoff Dean for the providing the meeting room for the BSCC's meeting.

Communications Director Tracie Cone called roll and Executive Director Kathleen Howard announced there was a quorum.

**BOARD ATTENDANCE**

The following members were in attendance:

Ms. Penner	Ms. Mauriello	Mr. Ertola	Mr. Maggard
Mr. Growdon	Ms. Brown	Judge Pounders	Mr. Budnick
Mr. Dean			Mr. Steinhart

Mr. Beard, Mr. Stone and Ms. Silbert were not present. Mr. Maggard arrived at 10:12 a.m.

**Chair's Report:**

- Introduced BSCC General Counsel, Patricia Pechtel. Ms. Pechtel has over 30 years of experience practicing law in the state, federal and private sectors.
- Announced that Kara Ueda of Best, Best and Krieger was present and thanked Ms. Ueda for assisting the BSCC with legal issues until the hire of Ms. Pechtel.
- Announced that this was the BSCC's Planning and Programs Deputy Director William Crout's last Board meeting because he was retiring.
- Introduced Magi Work, Deputy Director (Acting) County Facilities Construction Division.  
Ms. Work was a Field Representative who rejoined the BSCC after a brief retirement.
- Provided an update on Assembly Bill 1050.
- Gave special recognition to each of the members of the Edward Byrne Memorial Justice Assistance Grant (JAG) Executive Steering Committee for their extraordinary efforts on the JAG project.
- Congratulated Member Scott Budnick on his appointment confirmation to the Community College Board of Governors.

## **Executive Director's Report.**

Ms. Howard provided updates on the following:

- Proposition 47: funds to be available in 2016, more information in April;
- Senate Bill 863 Adult Local Criminal Justice Construction: ESC formed and working;
- Assembly Bill 1837 Social Innovation Financing Program: Update and ESC in April;
- The BSCC Executive Steering Committee (ESC) Process: At the September 2014 Board meeting, there was a discussion about the policies and practices for forming Executive Steering Committees. It was noted that there have been different practices, with the Board sometimes delegating the identification of ESC members to the Chair and staff, and other times the Board specifically approving a roster of names. Staff agreed to review the issues and bring a recommendation back to the Board. With the addition of our in-house general counsel in December, we are undertaking a thorough legal and policy analysis to ensure that the Board's policies and guidelines on ESC formation comply with the various statutory requirements and the policy goals of the BSCC. Any policy enacted by the Board would need to address a balanced approach that is transparent, meets statutory and policy requirements and ensures that the Board can complete its ESC work efficiently and effectively. Ms. Howard assured the Board that the issue would be back on the Board's agenda as soon as possible, but that the legal analysis would need to be completed first.
- Senate Bill 81 Round Two Local Youthful Offender Rehabilitative Facility Construction Financing Program: award to be recommended in April;
- Announced that the Performance Metrics for Community Corrections Report would be released and posted on the BSCC's website on February 13, 2015.

There were no Public Comments regarding these reports after they were given.

### **CONSENT AGENDA ITEMS:**

#### **A. Board of State and Community Corrections (BSCC) November 13, 2014 Meeting Minutes. Requesting Approval.**

Ms. Mauriello moved to approve the BSCC November 13, 2014 Meeting Minutes. Mr. Maggard seconded. The motion carried.

There were no public comments.

### **DISCUSSION AGENDA ITEMS:**

#### **B. Assembly Bill 900 Phase II Jail Construction Financing Program. Los Angeles County's Request for Time Extension. Requesting Approval.**

This agenda item requested the Board's approval of Los Angeles County's request for a

change in project schedule for the Mira Loma Detention Facility project.

Public comments were heard.

Chair Penner noted the importance of staying on schedule, in light of the delay in this project, and the county acknowledged and agreed.

Mr. Dean moved to approve Los Angeles County's request for a change in the project schedule for the Mira Loma Detention Facility's Assembly Bill 900 Phase II Jail Construction Financing Program project, to change the establishment date to September 30, 2015. Judge Pounders seconded. The motion carried.

**C. Mentally Ill Offender Crime Reduction (MIOCR) Grant Program, Approval and Release of the Request for Proposals (RFP). Requesting Approval.**

~~This agenda item requested the Board approve issuance of the proposed Request for Proposals (RFP) as recommended by the Executive Steering Committee (ESC) for the Mentally Ill Offender Crime Reduction (MIOCR) Grant program.~~

~~Mr. Steinhart moved to approve the Request for Proposals (RFP) as recommended by the Executive Steering Committee for the Mentally Ill Offender Crime Reduction Grant program and authorize the release of the RFP. Judge Pounders seconded. The motion carried.~~

Proposed amendments for consideration on June 10, 2015:

Agenda Item C: Release of the Request for Proposals (RFP). Requesting Approval. This agenda item requested the Board approve issuance of the proposed Request for Proposals (RFP) as recommended by the Executive Steering Committee (ESC) for the Mentally Ill Offender Crime Reduction (MIOCR) Grant program.

Mr. Steinhart moved to approve the Request for Proposals (RFP) as recommended by the Executive Steering Committee for the Mentally Ill Offender Crime Reduction Grant program and authorize the release of the RFP with the exception of deleting the following draft language from page 43 within the County Plan/Strategy rating factor – “Plans include a justice reinvestment strategy, illustrating a data-driven approach to improve public safety, reduce corrections and related criminal and juvenile justice spending, and reinvest savings in strategies that decrease crime and reduce recidivism.” Judge Pounders seconded. The motion carried.

There were no public comments.

**D. Fiscal Year 2014 Edward Byrne Memorial Justice Assistance Grant (JAG) Executive Steering Committee's Funding Recommendations. Requesting Approval.**

This agenda item requested approval of grant awards for the Fiscal Year (FY) 2014

Edward Byrne Memorial Justice Assistance Grant (JAG) Program, as recommended by the JAG Executive Steering Committee (ESC). If the proposed list of grantees were approved by the Board, the grants would become effective March 1, 2015 and expire December 31, 2017.

Mr. Steinhart moved to approve the proposed list of counties to receive \$16,669,430 in Fiscal Year 2014 Justice Assistance Grant (JAG) funding, as recommended by the JAG ESC for the first year of a three-year grant period; to fund the proposed counties at the same level for years two and three, subject to grantee performance, reapplication and availability of federal JAG funds; and to give staff permission to move down the rank-ordered ESC lists to continue funding proposals should a county chose not to accept the funding. Mr. Maggard seconded.

The Board voted on the recommendations on a county-group basis, for expedience and to avoid even the appearance of any conflict of interest issues if a member may have voted on a proposal from a county in which he or she may had the possibility of a financial interest. The vote was conducted by large, medium and small county categories. The motions were made, and carried as follows:

Ms. Mauriello moved to approve the ESC recommendation for large counties. Mr. Steinhart seconded, carried.

Mr. Budnick moved to approve the ESC recommendation for medium counties. Mr. Maggard seconded, carried.

Mr. Dean moved to approve the ESC recommendation for small counties. Judge Pounders seconded, carried.

County	Approve All Large Counties	Not Approve	Abstained/Recused	Not Present at Meeting
<u>Large Counties</u>				
San Diego Contra Costa Kern San Francisco Ventura San Mateo San Joaquin Los Angeles	Ms. Penner Mr. Growdon Ms. Mauriello Ms. Brown Mr. Ertola Judge Pounders Mr. Maggard Mr. Budnick Mr. Steinhart		Mr. Dean	Mr. Beard Mr. Stone Ms. Silbert
Total	<u>9</u>	0	<u>1</u>	<u>3</u>

County	Approve All Medium Counties	Not Approve	Abstained/Recused	Not Present at Meeting
<u>Medium Counties</u>				
Sonoma Yolo Butte Santa Cruz Stanislaus Tulare Placer Merced	Ms. Penner Mr. Growdon Mr. Dean Ms. Brown Mr. Ertola Judge Pounders Mr. Maggard Mr. Budnick Mr. Steinhart		Ms. Mauriello	Mr. Beard Mr. Stone Ms. Silbert
Total	<u>9</u>	<u>0</u>	<u>1</u>	<u>3</u>

County	Approve All Small Counties	Not Approve	Abstained/Recused	Not Present at Meeting
<u>Small Counties</u>				
Tehama Shasta Mendocino Lake Plumas Imperial Lassen Mono Madera Yuba Kings Calaveras San Benito Mariposa Humboldt Nevada/Sierra	Ms. Penner Mr. Dean Ms. Mauriello Ms. Brown Judge Pounders Mr. Maggard Mr. Budnick Mr. Steinhart		Mr. Growdon Mr. Ertola	Mr. Beard Mr. Stone Ms. Silbert
Total	<u>8</u>	<u>0</u>	<u>2</u>	<u>3</u>

There were no public comments.

**E. Recommendation from the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP), and the Juvenile Justice Standing Committee (JJSC), for Regular Board Agenda Reports on Juvenile Justice Issues. Requesting Approval.**

The Juvenile Justice Standing Committee (JJSC) and the State Advisory Committee on Juvenile Justice and Delinquency Prevention (SACJJDP) had adopted parallel resolutions asking the Board to consider their requests for regular input at BSCC Board meetings on juvenile justice matters.

Public comments were heard.

~~Mr. Dean moved to support the request of the SACJJDP and the JJSC for regular Board agenda reports on juvenile justice issues. Two of the four standing committees, the SACJJDP, the JJSC, the Data and Research Standing Committee, or the Standing Committee on Gang Issues would provide a report on an item of their choosing to the Board at every Board meeting, on a rotating basis, for five minutes each, for educational purposes. This regular meeting appearance would not include substantive issues; committees can schedule separate agenda items with or without reports to discuss these issues at any time they wish. Mr. Maggard seconded. The motion carried.~~

Proposed amendment for consideration on June 10, 2015:

Two motions passed on this item.

1. Mr. Dean moved to recognize the high value the Board places on the work of the Board's committees, specifically the two juvenile committees, and the Board encourages the committees to come to the Board at any time, and bring informational or educational reports to the Board's attention.
2. After further discussion Mr. Budnick moved that at each regularly scheduled Board meeting there would be an opportunity for an information item from two (2) of the now existing four (4) Board committee chairs. The chairs may, at their pleasure, choose to report to the full Board for approximately five (5) minutes each, on a rotating basis, for educational purposes. This is not a mandatory reporting requirement; it is meant to be voluntary and at the discretion of the committees. These educational reports are also not intended to substitute for substantive action items or reports that the committees wish to bring before the full Board. All committees are free to schedule separate agenda items, and submit reports relevant to such items, as necessary for Board action and as the committees may determine that such items and reports are necessary. The four (4) committees, as of February 12, 2015, are:
  - State Advisory Committee on Juvenile Justice and Delinquency Prevention;
  - Juvenile Justice Standing Committee;

- Data and Research Standing Committee, and
- Standing Committee on Gang Issues.

There were public comments favorable to the work of the juvenile committees.

## **PUBLIC COMMENTS**

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Chair Penner asked if there were any public comments that had not already been heard. There were many more public comments, on topics relating to items on the agenda and in the Executive Director's report, as well as comments regarding public safety and the BSCC in general. Due to the volume of requested comments, and the lateness of the hour, Executive Director Howard asked Chair Penner if she would like to limit remaining public comment to 2 minutes each, instead of 3. The Chair agreed, and asked commenters to respect each other's time limits, so that all could be heard. All requested commenters were heard.

After all requested public comments were heard, the meeting was adjourned.

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### **Next meeting: June 11, 2015**

Meeting adjourned at 1:06 p.m.

Respectfully submitted,

*Original signed by*

MARIA RODRIGUEZ-RIEGER  
Executive Assistant  
Board of State and Community Corrections

## **ROSTER OF BOARD AND STAFF IN ATTENDANCE**

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### **BSCC Board Members**

Ms. Penner, Chair, Board of State and Community Corrections  
Mr. Growdon, Sheriff, Lassen County Sheriff's Department  
Mr. Dean, Sheriff, Ventura County Sheriff's Department  
Ms. Mauriello, County Administrative Officer, Santa Cruz County  
Ms. Brown, Chief Probation Officer, San Bernardino County Probation Department  
Mr. Ertola, Chief Probation Officer, Nevada County Probation Department  
Judge Pounders, Retired Judge of Los Angeles County  
Mr. Maggard, Chief of Police, City of Irvine Police Department  
Mr. Budnick, Founder, The Anti-Recidivism Coalition  
Mr. Steinhart, Director, Juvenile Justice Program Commonwealth

**BSCC Staff**

Kathleen Howard, Executive Director  
Tracie Cone, Communications Director  
Patricia Pechtel, General Counsel  
Maria Rodriguez-Rieger, Executive Assistant  
Magi Work, Deputy Director (A), County Facilities Construction (CFC)  
William Crout, Deputy Director, Corrections Planning and Programs (CPP)  
Allison Ganter, Deputy Director, Facilities Standards and Operations  
Evonne Gardner, Deputy Director, Standards and Training for Corrections  
Robert Oates, Project Director III, CFC  
Colleen Curtin, Field Representative, CPP  
Daryle McDaniel, Field Representative, CPP  
Helene Zentner, Field Representative, CPP